



August 29, 2022

City of Commerce City
Community Development
7887 E. 60th Ave.
Commerce City, CO 80022

RE: *Project Narrative: 8705 Rosemary St. (88th & Rosemary) Zone Change*

The project is located on the southwest corner of 88th Avenue and Rosemary Street. More specifically, the site is located on Adams County Parcel No. 172128202002 at 8705 Rosemary Street, Commerce City, CO (the "Site"). The Project is generally bounded by the following:

- North – E 88th Avenue
- East – Rosemary Street
- South – Adler Tanks Rentals and Limited Enterprises
- West – Union Pacific Railroad Right-of-Way

The Project Site consists of a 6.699-acre undeveloped parcel. The proposed development is for one (1) at grade warehouse building totaling approximately 54,600 SF and an outdoor staging yard accessory use. Truck and employee parking, landscaping and associated infrastructure are part of the Project. The property is currently zoned I-1 and AG and will be rezoned to I-2 as part of this Project.

The property is currently zoned I-1 on the northern portion (approximately 2 acres) and AG on the southern portion (approximately 4 acres) and is requesting that the entire parcel be simultaneously rezoned to I-2. Based on the feedback provided during a pre-application meeting with city staff on March 8, 2022, city staff has expressed that they are supportive of this rezoning request.

PROPOSED CONDITIONS

As part of this zone change request, this project proposes to rezone to I-2 zoning without conditions. Refer to Appendix A for zone district I-2 standards and allowable uses.

Per the City of Commerce City, "The purpose of the medium intensity district (I-2 district) is to provide for a district in which light and medium industrial and similar uses may be operated. Medium-intensity industry consists of any industrial or manufacturing operation subject to acceptable safeguards to control potential nuisances and hazardous effects both on and off the premises."

The proposed zone change provides one land use zone for the entire parcel and rezones the parcel to a use that is consistent with the Comprehensive Plan's Future Land Use for the area.

The following sections address how the proposed zone change is consistent with the City's requirements for zone change approval.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

As indicated in the City of Commerce City's Comprehensive Plan Figure 3.2, dated 9/27/2010, the Future Land Use for this site is Industrial/Distribution. Refer to Figure 3.2 in Appendix B of this report. This aligns with the proposed use for this project, industrial/distribution. Per the City of Commerce City's Land Development Code, Warehousing & Distribution is an "Allowed By Right" use within Zone I-2. By rezoning to I-2, this is consistent with the Comprehensive Plan's Future Land Use for this area.

COMPATABILITY WITH SURROUNDING LAND USES

The requested rezone to I-2 is compatible with surrounding land uses. Below is a partial list of the surrounding developments and their uses.

North:

- Minor Arterial right-of-way
- Public and I-2

South:

- I-2 and I-1 zoning

East:

- PUD District
- C-1 and Public

West:

- Union Pacific Railroad right-of-way

IMPACT TO PUBLIC SERVICES

The proposed rezoning does not negatively impact public services, including but not limited to water, sewer, streets, and drainage.

- Water and sewer are provided along Havana Street and are maintained by South Adams County Water and Sanitation District (SACWSD). The proposed industrial/distribution use is typically a low volume water consumer.
- Rosemary Street is maintained by the City of Commerce City. As part of this Project, the western half of the ultimate section of Rosemary Street will be constructed, thus improving the capacity of Rosemary Street.
- 88th Avenue is maintained by the City of Commerce City. As part of this Project, the southern half of the ultimate section of 88th Avenue will be constructed, thus improving the capacity of 88th Avenue.
- Historic drainage patterns will be maintained as part of this development so that there is no negative impact to the downstream system.

IMPACT TO PUBLIC USES

The proposed rezoning does not negatively impact public uses, including but not limited to, parks, schools and open space. Per the current Comprehensive Plan, parks, schools and/or open space are not intended uses. Industrial/distribution developments do not create an increased demand for schools. This project proposes to construct a portion of the ultimate condition form both 88th Avenue and Rosemary Street which will improve roadway capacity for the area.

COMMUNITY COMPATABILITY

As previously mentioned, the proposed zone change is compatible with the surrounding land uses as well as the Future Land Uses per the Comprehensive Plan. The zone change benefits the community by removing the undesirable uses. The proposed I-2 zoning district allows for a wide range of uses enabling for a mix of development types in the immediate and surrounding area.

PUBLIC INTEREST TO ALLOW ZONE CHANGE

Commerce City is a rapidly growing and developing area. It is in the public's interest to remove the undesirable allowable uses. The proposed zone change simplifies the development process and provides for a better development for the City. While removing the AG and partially zoned I-1 uses, the proposed zone change still aligns with the current surrounding land uses as well as the Comprehensive Plan and Future Land Use.

CONCLUSION

As discussed in the previous section, replacing the current zoning of I-1 and AG to I-2 zoning is consistent with the Comprehensive Plan and is compatible with surrounding land uses. The proposed I-2 designation does not negatively impact public services or public uses and is compatible with the community and public interest. The proposed zone change is in alignment with the City's interest by providing economic growth through a strong employment base, mutually beneficial infrastructure, quality development, and long-term economic sustainability.

We look forward to working with you on this Project. Please contact me at (303) 974-3625 or shannon.petersen@kimley-horn.com should you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Shannon Petersen, PE



Appendix A

Sec. 21-4350. - I-2 Medium-Intensity Industrial District.

- (1) *Purpose and Intent.* The purpose of the medium intensity industrial district (I-2 district) is to provide for a district in which light and medium industrial and similar uses may be operated. Medium-intensity industry consists of any industrial or manufacturing operation subject to acceptable safeguards to control potential nuisances and hazardous effects both on and off of the premises.
- (2) *Standards.* It shall be unlawful for any person to build, own, or occupy any structure within an I-2 district that deviates from the standards set forth in the following table unless a variance or minor modification has been granted in accordance with the provisions of this land development code.

Table IV-14. I-2 Medium-Intensity Industrial District Standards

Bulk Standard	Requirement
Minimum gross floor area	N/A
Minimum density	N/A
Maximum density	N/A
Minimum floor area ratio	0.05
Maximum floor area ratio	N/A
Minimum lot area	50,000 square feet
Maximum lot area	N/A
Minimum lot frontage	80 feet
Minimum front yard setback	20 feet
Maximum front yard setback	100 feet
Minimum side yard setback (interior lot)	20 feet
Maximum side yard setback (interior lot)	N/A

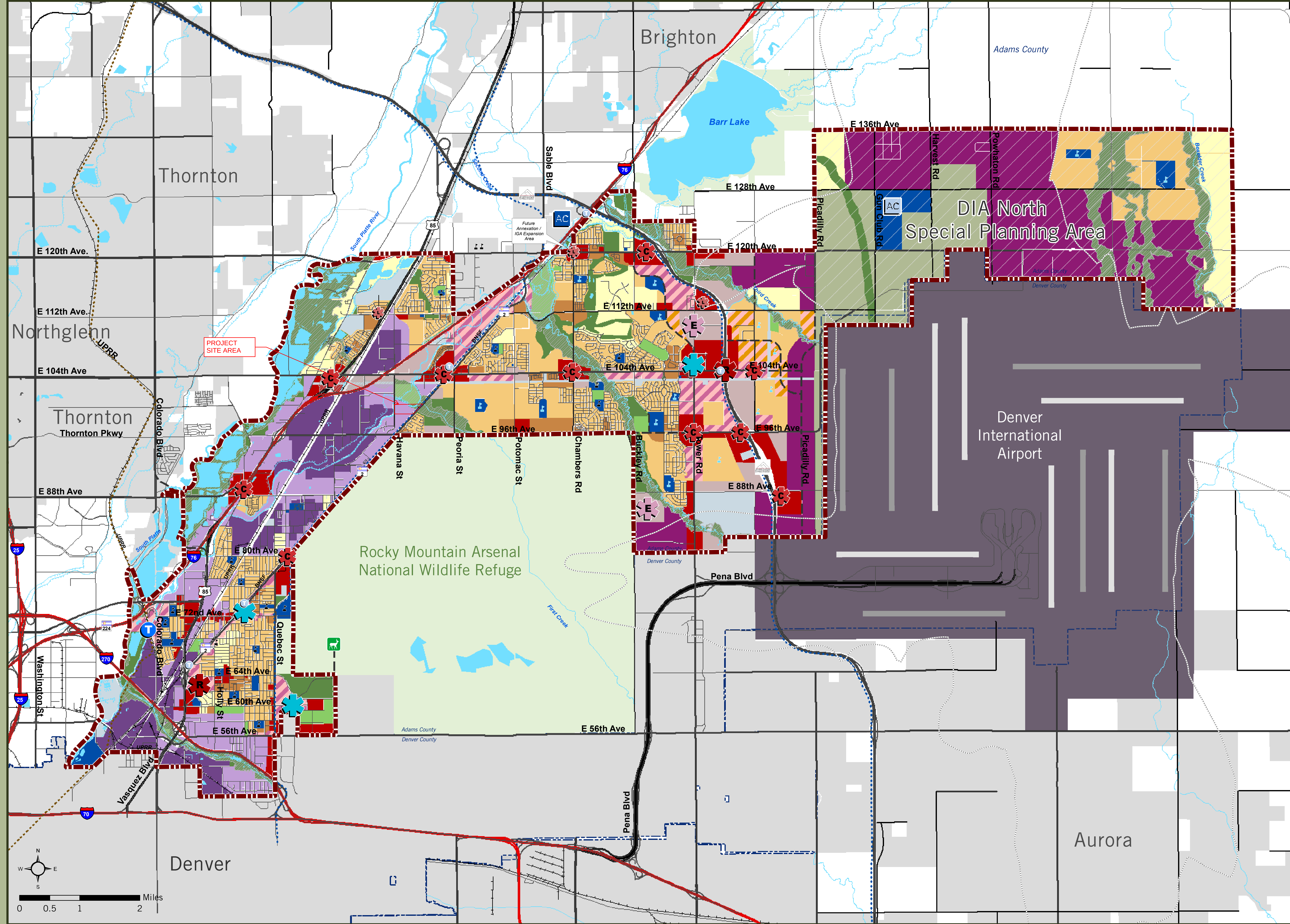
Minimum side yard setback (corner lot)	20 feet
Maximum side yard setback (corner lot)	N/A
Minimum side yard setback (corner lot) collector or arterial	20 feet
Maximum side yard setback (corner lot) collector or arterial	150 feet
Minimum rear yard setback	25 feet
Minimum building height	15 feet
Maximum building height	50 feet
Minimum open space	N/A
Building location	No building shall be located less than 50 feet from the boundary of any residential zone district
Building separation	N/A

(Ord. No. 1887, July 2012; Ord. No. 1938, January 2013)



Appendix B

Future Land Use Plan



Legend

- IGA Growth Boundary
- County Boundary
- Denver International Airport
- DIA Noise Contours - 60 LDN
- Current Runway
- Future Runway
- National Wildlife Refuge, Barr Lake State Park
- Wildlife Refuge Visitors Center
- 100 Year Floodplain
- Future Roads
- Planned Transit Station
- Possible Transit Station
- Future Transit Line
- Future Light Rail Line
- Future Adams County Government Administrative Complex
- Future Adams County Regional Public Safety Training Center
- Existing School
- Future School Site

Centers

- Activity Center
- Employment Campus / Business Center
- Regional Commercial Center
- Community Commercial Center
- Local Commercial Center

Future Land Use

- Residential - Low
- Residential - Medium
- Residential - High
- Mixed-Use - E-470
- Mixed-Use (Corridor and Commercial)
- Commercial
- Office / Flex
- DIA Technology
- Industrial / Distribution
- General Industrial
- DIA Reserve
- Utility
- Public/State
- Park
- Open Space

Figure 3.2
Source: Adams County Tax Assessor, Adams County GIS, Commerce City GIS, U.S. Census TIGER files, Clarion Associates, 2008
9/27/10
CLARION, BBC, FHU